

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FRANK RAY SHOOP,

Plaintiff,

vs.

**Case No.: 2:15-cv-2718
JUDGE SMITH
Magistrate Judge Deavers**

GARY MOHR, *et al.*,

Defendants.

ORDER

On October 5, 2015, the United States Magistrate Judge issued a *Report and Recommendation* following the initial screen and recommended that the Court dismiss Plaintiff's claims against the Defendants employed directly by the Ohio Department of Rehabilitation and Correction (collectively "the ODRC Defendants") and transfer this action to the United States District Court for the Northern District of Ohio, Western Division at Toledo. (*See Report and Recommendation*, Doc. 6). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff's Objections to the *Report and Recommendation*. (*See* Doc. 7). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present the same issues presented to and considered by the Magistrate Judge in the *Report and Recommendation*. Plaintiff continues to argue that the ODRC Defendants have refused to investigate and respond to his grievance. He further asserts that they should not be dismissed nor should this case be transferred. However, he has not offered a

sufficient basis for not dismissing the ODRC Defendants, nor for transferring the case. All of Plaintiff's arguments have been carefully considered by the Magistrate Judge. Therefore, for the reasons stated in the *Report and Recommendation*, this Court finds that Plaintiff's objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation*, Document 6, is **ADOPTED** and **AFFIRMED**. Plaintiff's claims against the ODRC Defendants are dismissed. The Clerk of this Court shall remove Document 6 from the Court's pending motions list and shall transfer this case to the United States District Court for the Northern District of Ohio, Western Division at Toledo.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT